REMARKS

In the Official Action mailed on **17 January 2006**, the Examiner reviewed claims 1, 2, 4, 6-8, 10-13, 15, 17-19, 21-24, 26, 28-30, 32, and 33. Claims 12, 13, 15, 17-19, 21-24, 26, 28-30, 32 and 33 were rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Claims 11, 22, and 33 were objected to as being in improper dependent form. Claims 1, 2, 4, 6-8, 10-13, 15, 17-19, 21-24, 26, 28-30, 32, and 33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Brenner (USPN 6,859,926, hereinafter "Brenner").

Rejections under 35 U.S.C. §101

Claims 12, 13, 15, 17-19, 21-24, 26, 28-30, 32, and 33 were rejected because the claimed invention is directed to non-statutory subject matter.

Applicant has amended claim 12 to clarify that computer-readable storage medium includes only a tangible storage medium. Additionally, Applicant has amended claims 23-24, 26, 28-30, and 32 to clarify that the claimed apparatus is a computer system. These amendments find support on page 6, line 8 to page 7, line 9 of the instant application. Claim 33 has been canceled without prejudice.

Objections to the claims

Claims 11, 22, and 33 were objected to as being in improper dependent form.

Applicant has canceled claims 11, 22, and 33 without prejudice.

Rejections under 35 U.S.C. §103(a)

Independent claims 1, 12, and 23 were rejected as being unpatentable over Brenner. Applicant respectfully points out that Brenner teaches allocating

resources to classes **for exclusive assignment** to processes assigned to the classes (see Brenner, col. 6, lines 24-32).

In contrast, the present invention assigns a first portion of resources for exclusive use of processes bound to a resource pool and assigns a second portion of resources **for sharing by processes bound to other resource pools** (see FIG. 2 and page 8, lines 1-8 of the instant application). This is beneficial because sharing resources gives rise to more efficient resource utilization, which leads to better system performance. There is nothing within Brenner, either explicit or implicit, which suggests assigning a first portion of resources for exclusive use of processes bound to a resource pool and assigning a second portion of resources for sharing by processes bound to other resource pools.
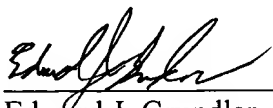
Accordingly, Applicant has amended independent claims 1, 12, and 23 to clarify that the present invention assigns a first portion of resources for exclusive use of processes bound to a resource pool and assigns a second portion of resources for sharing by processes bound to other resource pools. These amendments find support in FIG. 2 and on page 8, lines 1-8 of the instant application.

Hence, Applicant respectfully submits that independent claims 1, 12, and 23 as presently amended are in condition for allowance. Applicant also submits that claims 2, 4, 6-8, and 10-11, which depend upon claim 1, claims 13, 15, 17-19, and 21-22, which depend upon claim 12, and claims 24, 26, 28-30, and 32-33, which depend upon claim 23, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By   _[signature]_

Edward J. Grundler
Registration No. 47,615

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Edward J. Grundler
PARK, VAUGHAN & FLEMING LLP
2820 Fifth Street
Davis, CA 95616-7759
Tel: (530) 759-1663
FAX: (530) 759-1665
Email: edward@parklegal.com